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4  
Entered on Docket  
August 26, 2011

A handwritten signature in black ink, appearing to read "R. B."

5  
Hon. Linda B. Riegle  
6  
United States Bankruptcy Judge  
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**LEWIS AND ROCA LLP**  
9

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11 *Attorneys for USACM Liquidating Trust*  
12

13 **UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA**

14 In re:

15 USA COMMERCIAL MORTGAGE  
16 COMPANY,

17 Debtor.

18 Case No. BK-S-06-10725-LBR  
19

20 CHAPTER 11  
21

22 **Order Sustaining Third Omnibus  
Objection Of USACM Trust To Proofs Of  
Claim Based Entirely Upon Investment In  
The Eagle Meadows Loan**

23 Hearing Date: July 26, 2011  
24

25 Hearing Time: 1:30 p.m.  
26

27  
28 The Court having considered the "Third Omnibus Objection Of USACM Trust To  
29 Proofs Of Claim Based Entirely Upon Investment in The "Eagle Meadows Loan ("Eagle  
30 Meadows Loan") [DE 8562] (the "Objection"); the Court having heard the Objection on  
31 July 26, 2011; appropriate notice of the Objection having been given; no response to the  
32 Objection having been filed; the Court noting on the record that the disallowance of the  
33 Claims listed on Exhibit A does not affect the direct lenders' right to repayment by the  
34

1 borrower or from the collateral securing the Eagle Meadows Loan; and good cause  
2 appearing:

3 **IT IS ORDERED** that:

4 1. The Objection [DE 8562] is sustained; and  
5 2. The claims listed on **Exhibit A** attached are disallowed in full because those  
6 claims are based entirely upon an investment in the Eagle Meadows Loan.

7  
8 PREPARED AND RESPECTFULLY SUBMITTED BY:

9 **LEWIS AND ROCA LLP**  
10

11 By /s/ John Hinderaker (AZ #018024)  
12 Robert M. Charles, Jr.  
13 John Hinderaker (*pro hac vice*)  
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Attorneys for USACM Liquidating Trust

1 LOCAL RULE 9021 CERTIFICATION  
23 In accordance with LR 9021, counsel submitting this document certifies that the order  
4 accurately reflects the court's ruling and that (check one):  
56        This Court has waived the requirement set forth in LR 9021(b)(1).  
78 XXX No party appeared at the hearing or filed an objection to the motion.  
910        I have delivered a copy of this proposed order to all counsel who  
11 appeared at the hearing, and any unrepresented parties who appeared  
12 at the hearing, and each has approved or disapproved the order, or  
13 failed to respond, as indicated below [list each party and whether the  
14 party has approved, disapproved, or failed to respond to the  
15 document]:  
1617 Counsel appearing: \_\_\_\_\_  
1819        I certify that this is a case under Chapter 7 or 13, that I have served a  
20 copy of this order with the motion pursuant to LR 9014(g), and that  
21 no party has objected to the form or content of the order  
22

14 U.S. Trustee: <u>Augie Landis</u>	15	16	17
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> dis approved the form of this order		
<input checked="" type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document		
18 Other Party: _____	19	20	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapprove d the form of this order		
<input type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document		

23 Submitted by:  
24 LEWIS AND ROCA LLP25 By: /s/ John Hinderaker. (AZ #018024)  
26 Attorneys for USACM Liquidating Trust

# # #

**USACM Trust**  
**Eagle Meadows**  
**Single Loan Claims**

Claim	Date Claim was Filed	Name	Address	Total Claim Amount Relating to the Eagle Meadows Development Loan	Approximate Amount Subject to Objection Because it Relates to an Investment In the Eagle Meadows Development Loan
10725-00287	10/3/2006	Horgan, Patrick J	Manpin Cox Legoy, Attn C Jaime Esq PO Box 30000 Reno, NV 89520	50,000.00	50,000.00
10728-00061	10/5/2006	Iona Pete Bakas Halliday	Po Box 39147 Ft Lauderdale, FL 33339-9147	50,000.00	50,000.00
10725-00742	10/26/2006	Marlin L & R Yvonne Wonders	4262 E Catalina Ave. Mesa, AZ 85206	50,000.00	50,000.00
10725-00887	11/1/2006	Marston Family Trust Dated 8/13/93	E Grace Marston Tee 1184 Camano Court San Jose, CA 95122	53,203.09	53,203.09
10725-01616	12/8/2006	Mcconnell, James M IRA	970 Fairway Blvd Incline Village, NV 89451	307,125.01	307,125.01
10725-02251	1/12/2007	Mcquerry Family Trust	William L Mcquerry 318 Singing Brook CIR Santa Rosa, CA 95409	196,316.26	196,316.26
10725-01388	11/3/2006	Patricia A Herrin & Terry W Royder	9404 Mountainair Ave Las Vegas, NV 89134-6215	150,000.00	150,000.00
10725-01924	1/10/2007	Sak Family Trust Dtd 12/17/04	C/O Gregory V & Jana L Sak Tee 2512 Skippers Cove Ave Henderson, NV 89052	101,826.15	101,826.15
10725-00978	11/3/2006	Sapphire 18 Trust	C/O Nimrod Barashy Trustee 2868 Redwood St Las Vegas, NV 89146-5113	101,041.67	101,041.67
10725-01961	1/10/2007	Secure Retirement Trust B	C/O Leona Apigian Trustee 13501 Muir Drive SE Monroe, WA 98272	101,493.04	50,746.52

**EXHIBIT A**